

**4102. Misbranding of "Hibbard's Rheumatic HRS Syrup." U. S. v. Burks Medicine Co., a corporation. Plea of guilty. Fine, \$200 and costs. (F. & D. No. 5910. I. S. No. 7317-e.)**

On June 11, 1915, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Burks Medicine Co., a corporation, Chicago, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about February 15, 1913, from the State of Illinois into the State of Indiana, of a quantity of "Hibbard's Rheumatic HRS Syrup" which was misbranded. The product was labeled: (On bottle) "Hibbard's Rheumatic HRS Syrup Contains Alcohol 10 per cent. For Rheumatism, Neuralgia, Scrofula, Salt Rheum, Erysipelas, Dyspepsia, Indigestion, & All Kidney, Liver, & Urinary Diseases. A Positive Proof Against Bright's Disease. Manufactured for Burks Medicine Co., Sole Proprietors and Distributors, Chicago, Ill., U. S. A. Price \$1.00. The Greatest Remedy Known For Diseases Peculiar To The Female Sex Change of Life, Irregularities, Abscesses, Tumors, Bearing Down, Pregnancy, Dropsy, Leucorrhœa or Whites, Headache, Etc., Malaria, General Debility, Jaundice, Catarrh of the Bladder, Heart Disease, Etc. Notice: For A Cathartic There is no remedy known as valuable, containing as it does, Mandrake, Culvers Root, and Cascara Sagrada For Constipation or Bilioussness. The Patient should take it on retiring at night, increasing the dose until it operates satisfactorily. The patient should continue using it in obstinate cases, for some time, and gauge the size of the dose so as to regulate the bowels, having a passage every morning. Manufactured for Burks Medicine Co., Sole Proprietors and Distributors, Chicago, Ill., U. S. A. Notice: In all Rheumatic or Neuralgic troubles, pain in the sides, or about the hips, shoulders, back, stomach, arms, hands, limbs and feet, inflammation of the bowels, or where there may be any severe pain, soreness or lameness Always Use Hibbard's Rheumatic Plaster in connection with the syrup. It can be applied over the inflamed parts and will relieve the suffering and reduce the inflammation in a surprisingly short space of time. These plasters may save life by drawing the inflammation away from the heart or other vital parts and they cannot be applied too quickly. They are the only genuine rheumatic plaster in the market containing the virtues of the old belladonna plaster with other very valuable properties. Don't fail to try them. Manufactured for Burks Medicine Co., Sole Proprietors and Distributors, Chicago, Ill., U. S. A., Price 25 Cts." (Blown in bottom of bottle) "Hibbard's Rheumatic Syrup." (On carton) "Hibbard's Rheumatic Syrup Contains Alcohol 10 per cent. For Rheumatism, Neuralgia, Scrofula, Salt Rheum, Erysipelas, Dyspepsia, Indigestion, & All Kidney, Liver & Urinary Diseases. A Positive Proof Against Bright's Disease. Manufactured for Burks Medicine Co., Sole Proprietors and Distributors, Chicago, Ill., U. S. A. Serial Number 1346.—Guaranteed under the Food and Drug Act of June 30th, 1906. Price \$1.00. Notice. In all Rheumatic or Neuralgic Troubles, Pain in the Sides, or about the Hips, Shoulders, Back, Stomach, Arms, Hands, Limbs and Feet, Inflammation of the Bowels, or where there may be any Severe Pain, Soreness or Lameness Always Use Hibbard's Rheumatic Plaster In connection with the Syrup. It can be applied over the inflamed parts and will relieve the suffering and reduce the inflammation in a surprisingly short space of time. These plasters may save life by drawing the inflammation away from the heart or other vital parts, and they cannot be applied too quickly. Is Manufactured only for Burks Medicine Company, Chicago, Illinois. None others are genuine. Price 25 cents. The greatest Remedy Known for Diseases Peculiar to the Female Sex. Change of Life, Irregularities, Tumors, Bearing Down, Pregnancy, Dropsy, Leucorrhœa or Whites, Headache,

Etc. It removes Blotches and Brown Spots from the Face, Producing a healthy Complexion, and a bright, clear expression to the eye, Malaria, General Debility, Gravel, Jaundice, Catarrh of the Bladder, Heart Disease, Etc. Special Notice: For A Laxative. In severe and obstinate cases, where the syrup does not have the desired effect in moving the bowels, the patient should procure Hibbard's Rheumatic and Liver Pills, which are especially and scientifically prepared for acting strictly upon the liver and stomach. These Pills are put up in boxes and contain double the quantity for the money of any on the market. They Never Fail. Manufactured only for Burks Medicine Co., Chicago, Successors to Rheumatic Syrup Co. Hibbard's Rheumatic Syrup. The Greatest Tonic and Appetizer Ever Produced. A blood purifier for purifying the Blood, invigorating the system, eradicating all diseases arising from a disordered Stomach, Liver, Bowels, or Kidneys, and as a Cathartic for moving the Bowels mildly, and without pain, griping, or weakness, this preparation has no equal. As it is a great remedy for all liver and kidney diseases, it is naturally a preventive against Chills, Ague and Intermittent Fever. None Genuine without Our Signature Burks Medicine Company." (Red sticker on each end of carton) "Burks Medicine Co., New York & Chicago None Genuine Without this label J. A. Cressler, Secy. To counterfeit this label is a felony Hibbard's Rheumatic Syrup."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume)-----	5.4
Total solids (grams per 100 cc)-----	11.1
Ash (grams per 100 cc)-----	0.36
Reducing sugar as invert (grams per 100 cc)-----	7.52
Nonvolatile acids as citric (grams per 100 cc)-----	0.54
Volatile acids as acetic (grams per 100 cc)-----	0.09
Emodin, iodids, mercury, arsenic, alkaloids, methyl salicylate: Absent.	
Salicylic acid, as sodium salicylate (per cent)-----	0.34

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, (On bottle) "Hibbard's Rheumatic Syrup \* \* \* For \* \* \* Scrofula, Salt Rheum, Erysipelas, \* \* \* & All Kidney, Liver & Urinary Diseases. A Positive Proof Against Bright's Disease. \* \* \* The Greatest Remedy Known For Diseases Peculiar To The Female Sex \* \* \* Abscesses, Tumors, \* \* \* Dropsy, Leucorrhœa or Whites, \* \* \* Malaria, \* \* \* Catarrh of the Bladder, Heart Disease, Etc.," were false and fraudulent in this, that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective as a remedy for scrofula, salt rheum, erysipelas, and all kidney, liver, and urinary diseases, and effective as a preventive of Bright's disease, and effective as a remedy for diseases peculiar to the female sex, abscesses, tumors, dropsy, leucorrhea or whites, malaria, catarrh of the bladder, and heart disease; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective as a remedy for scrofula, salt rheum, erysipelas, or all kidney, liver, or urinary diseases, or effective as a preventive of Bright's disease, or effective as a remedy for diseases peculiar to the female sex, abscesses, tumors, dropsy, leucorrhea or whites, malaria, catarrh of the bladder, or heart disease. Misbranding was

alleged for the further reason that the following statements regarding the therapeutic or curative effects of the article, appearing on the label aforesaid, to wit, (On carton) "Hibbard's Rheumatic Syrup \* \* \* For \* \* \* Scrofula, Salt Rheum, Erysipelas \* \* \* & All Kidney, Liver and Urinary Diseases. A Positive Proof Against Bright's Disease \* \* \* The greatest Remedy Known for Diseases Peculiar to the Female Sex \* \* \* Tumors, \* \* \* Dropsy, Leucorrhœa or Whites, \* \* \* It removes Malaria, \* \* \* Gravel \* \* \* Catarrh of the Bladder, Heart Disease \* \* \* Hibbard's Rheumatic Syrup \* \* \* A blood purifier for purifying the Blood, \* \* \* eradicating all diseases arising from a disordered Stomach, Liver, Bowels, or Kidneys \* \* \* As it is a great remedy for all liver and kidney diseases, it is naturally a preventive against \* \* \* Intermittent Fever," were false and fraudulent in this, that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective as a remedy for scrofula, salt rheum, erysipelas, and all kidney, liver, and urinary diseases, and effective as a preventive of Bright's disease, and effective as a remedy for diseases peculiar to the female sex, tumors, dropsy, leucorrhea or whites, and effective as a remedy for malaria, gravel, catarrh of the bladder, heart disease, and effective as a blood purifier, and effective for eradicating all diseases arising from a disordered stomach, liver, bowels, and kidneys, and effective as a remedy for all liver and kidney diseases, and effective as a preventive of intermittent fever; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective as a remedy for scrofula, salt rheum, erysipelas, or all kidney, liver, or urinary diseases, or effective as [a] preventive of Bright's disease, or effective as a remedy for diseases peculiar to the female sex, tumors, dropsy, leucorrhea, or whites, or effective as a remedy for gravel, catarrh of the bladder, or heart disease, or effective as a blood purifier, or effective for eradicating all diseases arising from a disordered stomach, liver, bowels, or kidneys, or effective as a remedy for all liver or kidney diseases, or effective as a preventive of intermittent fever.

On June 22, 1915, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$200 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture,*

WASHINGTON, D. C., December 4, 1915.